
THE DISTRICT COUNCIL OF ADUR PETITION SCHEME

1.0 PETITIONS

The Council welcomes petitions and recognises that they are a way in which the public can let the Council know about their concerns. Petitions can be submitted in paper or electronic form and a petition can be received by the Council by post, electronically or be hand delivered. All petitions must be sent to the Monitoring Officer by email at monitoringofficer@adur-worthing.gov.uk.

2.0 CONTENT

2.1 Petitions submitted to the Council must:

- (a) include a clear and concise statement covering the subject of the petition stating what action the petitioners wish the Council to take;
- (b) be accompanied by the name, address and contact details of the Petition Organiser; and
- (c) contain a minimum of 50 names, postal addresses (property name/number and post code) and signatures (other than when in electronic form) of people who live, work or study in the District of Adur and who support the petition.

3.0 PETITION ORGANISER

The Petition Organiser is the person the Council will contact to explain how it will respond to the petition. The contact details of the Petition Organiser will not be placed on the Council's website.

4.0 ACKNOWLEDGEMENT

An acknowledgement will be sent to the Petition Organiser, by the Monitoring Officer, within five working days of receiving the petition. The acknowledgement will advise the Petition Organiser if their petition has been rejected by the Monitoring Officer on any of the grounds below, or accepted.

5.0 REJECTION BY THE MONITORING OFFICER

5.1 A petition may be rejected by the Monitoring Officer should he/she consider that the petition:

- (a) contains intemperate, inflammatory, abusive or provocative language, is defamatory, frivolous, vexatious, discriminatory or otherwise offensive or contains false statements;
- (b) is similar to another petition submitted to the Council within the previous six months;
- (c) discloses confidential or exempt information, including information protected by a court order;
- (d) discloses material which is commercially sensitive;
- (e) contains names of individuals as the target of the petition, or provides information where the individual could be easily identified;
- (f) contains advertising statements;
- (g) refers to an issue which is currently the subject of a formal Council complaint, Local Government Ombudsman complaint or legal proceedings;
- (h) relates to the Council's Planning or Licensing functions (as there are separate processes in place to deal with those matters);
- (i) Relates to a response to the Council as part of a formal consultation process;
- (j) relates to a matter where there is already an existing right of appeal, such as Council Tax Banding and non-domestic rates, (as there are separate processes in place to deal with those matters);
- (k) relates to a statutory petition, for example if at least 5% of Local Government electors in the District petition the Council to hold a referendum on whether it should change to a different form of governance (as there are separate processes to deal with those matters);
- (l) does not relate to an issue upon which the Council has powers or duties or on which it has shared delivery responsibilities. However, if the petition is about something over which the Council has no direct control the Monitoring Officer will give consideration to the best method for responding to it. For example, the Council may make representations on behalf of the community to the relevant body or forward the petition to the relevant body. In any event the Council will always notify the Petition Organiser of the action it has taken;
- (m) has already been the subject of debate by Full Council within the previous six months;

- (n) is received during politically sensitive times, such as prior to an election or referendum, and the petition contains politically controversial material. In that situation the Monitoring Officer may need to agree a revised timescale for the acceptance of the petition.
- (o) relates specifically to the annual budget resolution, which is governed by the Councils Budget Procedure Rules
- (p) it contains less than 50 names, addresses and signatures of individuals who live, work or study in the District.

6.0 ACCEPTED PETITIONS: THE COUNCIL'S RESPONSE

If the Monitoring Officer has accepted the petition, the Petition Organiser will be advised what the Monitoring Officer plans to do with the petition and when they can expect to hear from the Council.

The petition (but not the Petition Organiser's details) and the details of what the Council will do will also be published on the Council's website.

6.1 Non-qualifying petitions

Non-qualifying petitions are defined in this scheme as petitions with 50 or more signatories but less than 1,000, and those petitions shall be referred to the relevant decision-maker, by the Monitoring Officer.

Where the decision-maker is the Executive, a Committee or Joint Committee, then the Petition Organiser shall be advised as to when and where the petition is to be considered and shall be allowed to attend, remotely if the meeting is held with attendance via remote access, and speak for up to 5 minutes in support of the petition. Following which the Members shall discuss the petition and decide how to respond to it. Once a decision is made the decision-maker will notify the Petition Organiser in writing of the response with reasons for the decision within five working days.

Where the decision-maker is an individual Executive Member or an Officer they shall meet with the Petition Organiser, remotely or otherwise, to discuss the contents of the petition. Following which they shall determine how to respond to it. Once a decision is made the decision-maker will notify the Petition Organiser in writing of the response with reasons for the decision within five working days.

6.2 Qualifying Petitions

Qualifying petitions are defined in this scheme as petitions containing 1,000 or more names, postal addresses and signatures (other than when in electronic form) of people who live, work or study in the District of Adur and support the petition.

On receipt of a qualifying petition, where time permits, the petition will be debated by the Full Council, at their next Ordinary Meeting, provided that the petition is received by the Monitoring Officer 15 clear working days prior to that meeting, or otherwise at the next available Ordinary Council meeting. The Petition Organiser will be given five minutes to read the petition at the meeting and make any representations and the petition will then be discussed by Councillors in accordance with the Council's Standing Orders as contained in Part 4 of this Constitution.

The Council will decide, by way of a motion being proposed, seconded and voted upon, how to respond to the petition at this meeting.

If the petition relates to action currently being progressed by the Council and the petition will trigger a debate at Full Council, as it is accepted by the Monitoring Officer and is a qualifying petition, then the action will be suspended pending the debate, unless in relation to statutory, contractual or other legal situations where a suspension would, in the view of the Monitoring Officer, prejudice the Council's position.

Where a petition is accepted by the Monitoring Officer and is a qualifying petition but time does not permit a debate at Full Council, for example because an action that is the subject of the petition will occur prior to the next meeting of the Full Council, the petition will be referred by the Monitoring Officer to the appropriate decision-maker, Executive or relevant Committee or Joint Committee. Once a decision is made the decision-maker will notify the Petition Organiser in writing of the response with reasons for the decision within five working days.

6.3 The Council's Response to a Petition

The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- (a) taking the action requested;
- (b) receiving and considering the petition at the next Ordinary Council meeting;
- (c) holding an enquiry into the matter;
- (d) undertaking research into the matter;
- (e) holding a public meeting;
- (f) holding a consultation;
- (g) holding a meeting with the petitioners;

- (h) referring the petition for consideration by the Overview & Scrutiny or Joint Overview & Scrutiny Committee;
- (i) Referring the petition to the Executive or another Committee if the substantive content of the Petition falls within the remit of that Committee.
- (j) writing to the Petition Organiser setting out the Council's views about the request in the petition;
- (k) deciding not to agree to do what is asked in the petition.

6.4 Remote Meetings

Where a Petition Organiser is entitled to attend a meeting to present their petition, if that meeting is held by remote attendance, the Petition Organiser will be invited to participate in the video conferencing remote meeting, via an electronic device, for the purpose of making their representations. The Petition Organiser will also be required to submit a written copy of their representations to democratic.services@adur-worthing.gov.uk 48 hours in advance of the meeting.

The Petition Organiser will be encouraged to join the remote meeting held electronically by video conferencing, to make their representations. However, if they are unwilling to do so, or unable to do so, their previously submitted representations will be read out to the meeting, by the Chairperson or an Officer present, with the same time limits applying. In that way the Council may proceed to consider the petition, having taken into account the Petition Organiser's representations.

The Petition Organiser should be aware that the remote video conferencing meeting, will also be livestreamed (unless it is in private session) and accessible to the public and will be published on the Council's website where it shall be retained for a period of 12 months.

7.0 PUBLICATION AND RETENTION

All decisions relating to petitions will be published on the Council's website.

Petitions will not be retained by the Council for longer than 6 years in compliance with General Data Protection Regulations.